

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CHARLES R. COHEN, et al.

v.

ENTANGIBLE.COM, et al.

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Civil Action WMN-00-1168

FILED
DEC 06 2000
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AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

MEMORANDUM & ORDER

Before the Court is Plaintiffs' Motion for Leave to File an Amended Complaint (Paper No. 12). Plaintiffs seek to add a claim for negligent misrepresentation. Defendants have opposed the motion. Upon review of the motion and applicable law, this Court determines that Plaintiffs' motion will be granted.

In their opposition, Defendants argue that the motion should be denied because the August 21, 2000, deadline for amending pleadings has passed. The Court disagrees on two grounds. First, Rule 15(a) of the Federal Rules of Civil Procedure provides that leave to amend "shall be freely given when justice so requires." Although the decision whether to grant leave is within the Court's discretion, the federal rules "strongly favor granting leave to amend." Medigen of Kentucky v. Public Serv. Comm'n, 985 F.2d 164, 167-68 (4th Cir. 1993). Second, Plaintiffs have demonstrated "good cause" for their request, i.e., the issuance of the July 25, 2000, decision by the Maryland Court of Appeals in Griesi v. Atlantic General Hospital Corp., 360 Md. 1 (2000), and information revealed during the October depositions of Karen Hansen and Harry Reifschneider. Additionally, Plaintiffs' contend, and Defendants do not refute, that Defendants will not be prejudiced by the amendment as no additional discovery will be required and the

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negligent misrepresentation allegation depends on the same facts supporting the existing causes of action.

Accordingly, IT IS this 5th day of December, 2000, by the United States District Court for the District of Maryland,
ORDERED:

1. That Plaintiff's Motion for Leave to File an Amended Complaint (Paper No. 12) is hereby GRANTED; and

2. That the Clerk of the Court shall mail or transmit copies of this Order to all counsel of record.



William M. Nickerson
United States District Judge